

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE, TENNESSEE**

<b>WARNER/CHAPPELL MUSIC, INC., et al</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>Case No. 3:12-cv-00512</b>
<b>vs.</b>	)	
	)	<b>Judge Campbell</b>
<b>BERTRAND MUSIC ENTERPRISES, INC., et al</b>	)	
	)	<b>Magistrate Judge Brown</b>
<b>Defendants.</b>	)	
	)	<b>JURY DEMAND</b>
	)	

**AGREED ORDER GRANTING PERMANENT INJUNCTION, DISMISSING CLAIMS  
WITH PREJUDICE AND EXPEDITED CONSIDERATION**

As evidenced by the signatures of counsel below, Plaintiffs and Defendants Bertrand Music Enterprises, Inc., Karaoke International, Inc., John D. Bertrand, Sr., and John D. Bertrand, Jr. (the “Bertrand Defendants”) have entered into a settlement agreement and have agreed that that the preliminary injunction entered in this action (Docket Entry 43) shall be made permanent and that Plaintiffs’ remaining claims against the Bertrand Defendants shall be dismissed with prejudice.

Accordingly, Defendants Bertrand Music Enterprises, Inc. (d/b/a www.bertrandmusic.com, www.karaokexpress.com, www.expresskaraoke.com, www.totalkaraoke.com, www.prosing.net, www.timelesskaraoke.com, “Bertrand Music,” “Bertrand’s Music Mart,” “Bertrand’s Music & Sing Along,” “Bertrand’s Music & Sing Along Center,” “Bertrand’s Centre City Music,” and “JBL Distributors”), Karaoke International Inc. (d/b/a “Total Karaoke”), John D. Bertrand, Sr., individually, and John Bertrand, Jr. individually (collectively, the “Bertrand Defendants”), their agents, servants, employees and all persons in active concert and participation with them are hereby enjoined from


copying, recording, manufacturing, distributing, selling, or offering for sale, or otherwise using in any manner, any karaoke products containing any of Plaintiffs' copyrights identified in Exhibits 1–22 attached hereto and to Plaintiffs' Complaint (Doc. Nos. 1.1-1.22, the "Subject Works"). Nothing in this Order shall prevent the Bertrand Defendants from distributing, selling or advertising for sale in the ordinary course of business any karaoke products utilizing the copyrights of Plaintiffs, including those identified on Exhibits 1 – 22, which products are duly licensed by Plaintiffs for the specific use and products in issue.

In the event Plaintiffs perceive any non-compliance with the provisions of this Order with respect to the Bertrand Defendants, written notice of any alleged violation(s) shall be sent to the Bertrand Defendants' counsel identifying the acts of Bertrand Defendants and/or the particular product by brand, title, and any other identifying information which Plaintiffs believe to be in violation of this Order and a thirty (30) day opportunity to cure shall be observed prior to Plaintiffs filing any Motion respecting this Order with the Court.

The Court hereby dismisses with prejudice Plaintiffs' remaining claims against Defendants Bertrand Music Enterprises, Inc., Karaoke International, Inc., John D. Bertrand, Sr., and John D. Bertrand, Jr. Plaintiffs and the Bertrand Defendants shall bear their own respective costs and fees.

Plaintiffs' claims, including for costs and fees, against the remaining Defendants (Stellar Records, Inc., Sing It Now Records, Inc., Atlantic Digital & CD Replication, Inc., MGM Distribution, Inc., and Thomas Viveiros) are unaffected by this order and remain pending.

IT IS SO ORDERED.

  
\_\_\_\_\_  
Honorable Judge Todd J. Campbell  
United States District Judge

Approved for entry by:

s/ Tim Harvey

Timothy L. Warnock (TN BPR #12844)

Tim Harvey TN BPR #021509))

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## **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served on the following counsel through the Court's ECF system this 25<sup>th</sup> day of November, 2013.

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